

Zoning Text Amendment No.: 12-14  
Concerning: Bikeshare Facility -  
Incentive  
Draft No. & Date: 1 – 7/23/12  
Introduced: September 11, 2012  
Public Hearing:  
Adopted:  
Effective:  
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

---

By: Council President Berliner and Councilmember Ervin

---

**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- define bikeshare facility;
- allow a building permit for a bikeshare facility under certain circumstances without a requirement for conformance to an approved site plan; and
- generally amend the provision concerning permits exempt from conforming to an approved site plan

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 59-A-2.	“Definitions and Interpretation.”
Section 59-A-2.1.	“Definitions.”
Division 59-D-3.	“Site Plan.”
Section 59-D-3.0.1.1.	“Permits exempt from conforming to an approved site plan.”

**EXPLANATION:** **Boldface** indicates a Heading or a defined term.

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

\* \* \* indicates existing law unaffected by the text amendment.

## ORDINANCE

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

**Sec. 1. Division 59-A-2 is amended as follows:**

**DIVISION 59-A-2. DEFINITIONS AND INTERPRETATION.**

**Sec. 59-A-2.1. Definitions.**

\* \* \*

**Bikeshare facility.** A facility that includes a bikeshare dock and bicycles and is part of a network of bikeshare facilities that is available for shared use by the public and approved by the Director of the Department of Transportation or the Director's designee.

\* \* \*

**Sec. 2. Division 59-D-3 is amended as follows:**

**DIVISION 59-D-3. SITE PLAN.**

\* \* \*

**59-D-3.0.1.1. Permits exempt from conforming to an approved site plan.**

In any zone identified in Article 59-C as requiring site plan approval, the Department may, without a finding of conformance to an approved site plan, issue a building permit for any building or structure on property subject to a site plan that was completed [at least 5 years] before the permit application, if the permit is for:

- (a) constructing an accessibility improvement;
- (b) repairing an existing structure;
- (c) replacing an existing structure other than a building with a structure other than a building that has the same use and is similar in size; [or]
- (d) outdoor lighting with full cut-off fixtures; or
- (e) constructing a bikeshare facility.

The Department must submit a copy of any permit issued under this [section] Section to the Planning Director for inclusion in the record of the site plan. Any

modification to an improvement shown on an approved site plan that is identified  
in this [section] Section does not require an amendment to the site plan.

\* \* \*

**Sec. 3. Effective date.** This ordinance becomes effective 20 days after the  
date of Council adoption.

This is a correct copy of Council action.

---

Linda M. Lauer, Clerk of the Council